

EXHIBIT 3



A Professional Corporation
Attorneys Licensed In Multiple Jurisdictions

April 6, 2023

Writer's Contact Information

bill.schrank@occlaw.com

602.241.7016

Jason Ray Drew
1453 Camelot Drive
Corona CA 92882
(Potential BI Claim – Unrepresented)

Matilde Barrera
Office Manager
Mehr & Associates
17500 Red Hill Ave, Suite #210
Irvine, CA 92614
mbarrera@mehrfirm.com
WC Client/Claimant: Jason Ray Drew
WC Claim No. 1384041

Holly Spears, Subrogation Specialist
National Interstate Insurance Company
P.O. Box 521
Richfield, OH 44286
Holly.Spears@natl.com
WC Lien re Jason Drew
WC Claim No. 1384041

Sam Prest, Claims Manager
2271 Lava Ridge Court Suite 120
Roseville, CA 95661
sam@firerecoveryusa.com
Fire Recovery USA LLC
(Service Invoice for Fire & Rescue)

Amanda Hutchins
Senior Associate Attorney
Knox, Lemmon & Anapolsky
11249 Gold Country Blvd., Ste. 140
Gold River, CA 95670
ahutchins@klalawfirm.com
Client/Claimant: Hendrickson Truck Lines, Inc. (tractor damage – no collision coverage)

Jami White
Cruz & Associates P.C.
1212 E Osborn Road
Phoenix, AZ 85014
jwhite@cruzfirm.com
Client/Claimant: Carmelo Patino
(BI Claim)

Trisha Amarantes, Claims Professional
Travelers Indemnity Company of CT
PO Box 5076
Hartford CT 06102
tamaran@travelers.com
Insured/Claimant: Giuliano-Pagano Corp
Claim No. FSL1149
(Vehicle Damage Subro Claim)

Steve Davidson, Claims Legal
Representative
Law Offices of Christina M. Tribbia
P.O. Box 248916
Oklahoma City, OK 73124
james.davidson@farmersinsurance.com
Insured/Claimants: Alicia Jo and Jon
Foucher
Claim No. 5014269543
(Farmers Ins. Subro Claim – Vehicle
Damage - WAIVED)

Ben Jemsek
Zachar Law Firm, P.C.
714 E. Rose Lane
Phoenix, AZ 85014
bjemsek@zacharlaw.com
Client/Claimant: Leah Rekowski
(BI/Wrongful Death Claim)

April 6, 2023
Page 2

John P. Leader, Esq.
Leader Law Firm
405 W. Cool Drive, Suite 107
Tucson, Arizona 85704
john@leaderlawaz.com
Client/Claimant: Leah Rekowski
(BI/Wrongful Death Claim)

Harold Holguin, General Adjuster
Network Adjusters, Inc.
Stanford Place I
8055 East Tufts Avenue, Suite 600
Denver, CO 80237
holguin@networkadjusters.com
Insured: Benny Whitehead, Inc.
Subro Claim No. 2021023613
Allied World Surplus Lines Ins. Co.
(Tractor-trailer damage)

Alan J. Clark
Sr. Executive General Adjuster
Sompo International
Engle Martin & Associates
5565 Glenridge Connector, Suite 900
Atlanta, GA 30342
aclark@englemartin.com
Insured: Benny Whitehead, Inc.
File No. 1000348129
(Cargo Damage Subro Claim by SubroIQ)

Terry D. Wade
Subrogation Specialist
SubroIQ
P.O. Box 962
Coraopolis PA 15108
terry.wade@subroiq.com
Insured: Benny Whitehead, Inc.
Claim No. 10498874
(Cargo Damage Claim)

Robert Dale Fogel
Mikal K. Fogel
5532 Rabbit Ridge Lane,
Edmond, Oklahoma 73025
rfogel@umich.edu
(BI Claim – Unrepresented)

Heather Bushor
Shapiro Law Team
5725 N. Scottsdale Road Suite 110
Scottsdale, AZ 85250
heather@shapirolawaz.com
Clients: Brandy White, Breshawnna Brown
NaJon Brown, Alahni Brown

Re: Skyward Specialty Insurance Company
Claim No. #GC020314
Insured: Cosmos Express, Inc. and Renato Trujillo Ocampo
DOL: October 6, 2021

All:

This will provide an update on the status of resolving the claims. Thanks to all of you who have agreed to participate in the mediation/arbitration process. This is actually a “hybrid” process. I and the liability insurance carrier (Skyward Insurance formerly Houston International Insurance Group) retained Craig Phillips, a reputable mediator/arbitrator in Arizona to review all claims. Some of you have submitted mediation briefs and documentation directly to Mr. Phillips. For those of you that hold property damage and subrogation claims, I provided Mr. Phillips with the damage documentation contained in my file. Mr. Phillips is still reviewing the information and will decide how the \$1 million policy limits will or should be allocated to the respective Claimants. His decision has not been finalized. I appreciate your patience.

April 6, 2023
Page 3

The delay in this matter is because Leah Rekowski, Caydence Rekowski and Carter Rekowski have not yet agreed to participate in this process. Leah Rekowski was injured in the accident and her husband, William, was killed. She has a bodily and wrongful death claim. Additionally, Caydence Rekowski and Carter Rekowski, as children of William Rekowski, have a wrongful death claim. The Rekowski claimants are represented by Ben Jemsek, John Leader and Anoop Bhatheja.

Initially, the Rekowski claimants requested proof that Cosmos Express, Inc. d/b/a Day Night Logistics only had \$1 million in insurance coverage. I believe they are satisfied that the insurance coverage isn't more than \$1 million. I enclose with this letter a Declaration from Eliezer Leon, the owner of Cosmos Express, Inc. declaring he has no insurance coverage other than the \$1 million policy issued by Houston Specialty Insurance Company. I also include an email from the insurance broker verifying the same.

The attorneys for the Rekowski family are now inquiring whether Cosmos Express, Inc. has any appreciable assets to contribute toward a settlement or allocation above \$1 million. I do not believe Cosmos Express, Inc. is able to do. It is a small company with five trucks. According to its Profit and Loss Statements, its net income is as follows:

2019: Net profit of \$45,998.
2020: Net profit of \$54,382.
2021: Net profit of \$21,165.
2022: Not completed

The attorneys for the Rekowski family have retained an expert to review tax documentation.

I am providing an updated Summary/Index of claims for everybody to review. If you believe I have made an error or if you believe the index needs supplementation regarding your respective claims, please let me know. Bear in mind that this is simple "cheat sheet" regarding special damages being claimed.

As you can see, the total value of all claims exceeds \$1 million. There are some claims, in and of themselves, that exceed \$1 million.

Again, it is my preference to be able to resolve all claims through the mediation/arbitration process, without filing an interpleader action, which would require court costs and attorneys' fees for everyone involved. And, the interpleader action would not resolve the claims more expediently or efficiently than the mediation/arbitration process.

I am still hopeful that the Rekowski claimants will agree to participate in the mediation/arbitration process. If they do not, then the insurance carrier and Cosmos Express, Inc. will have to evaluate other options and determine how to proceed. When such decisions are made, you will be informed.

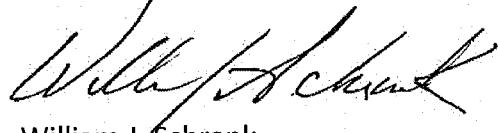
April 6, 2023
Page 4

If you have questions, comments or suggestions, you are welcome to call me.

Thank you for your patience.

Kindest regards,

O'CONNOR & DYET



William J. Schrank

WJS/tsg

Enclosures